

IN THE COURT OF THE FAST TRACK SPECIAL JUDGE, HARIPAD

Present: Hareesh G., Special Judge

Monday, the 6th day of October, 2025

CMP No.182/2025 IN S.C No.1125/2023

(Crime No.716/2023 of Mavelikara P.S.)

Petitioner/Accused : Adv. Sri. Sarun K. Idiculla for and on behalf of accused - Shijin, aged 19/23, S/o Shiju, Muthirapparambil, Pallikkachira Kavala Muri, Payippad Village, Kottayam District.

Cr. Petitioner/Complainant : State of Kerala - represented by S.I. of Police, Mavelikara Police Station.

(By Special Public Prosecutor, Haripad)

Proceedings : Modification of bail condition.

Order : ***Allowed.***

This petition having been finally heard on 06/10/2025 and the Court on the same day passed the following:

ORDER

- (1) This application is filed by the counsel for the accused in the above numbered case with a prayer to modify the condition No.1 imposed by this Court in the order dated 20/12/2024 in C.M.P 776/2024, by which the accused was granted bail.

- (2) The facts stated in the present application are that this Court granted bail to the accused on 20/12/2024 and as per the order, in C.M.P 776/2024 the accused is ordered to be released on his executing bail bond with two solvent sureties. The accused is unable to fulfill this condition and he has been in judicial custody. The accused has got only one surety and the Court may be pleased to modify the earlier condition while granting bail to the accused and to release the petitioner on his executing bail bond with one solvent surety. If the petitioner is enlarged bail, he will regularly appear before the Court without fail. Hence this application.
- (3) Heard the counsel for the petitioner.
- (4) The Special Public Prosecutor of this Court was absent while the matter was heard.
- (5) Perused the records.
- (6) As stated in the application, this Court granted bail to the accused as per order in CMP No.776/2024 by imposing certain conditions. As per the order, in the said CMP, the petitioner was directed to execute bond for ₹ 50,000/- with two solvent sureties each for the like sum; but the petitioner could not execute the bond as directed and he remained in judicial custody. Now the present application is filed to modify the abovementioned condition in such a manner that the petitioner is to be released on his executing bond with one surety as the accused has got only one surety.

(7) It is to be noted that this is a case of the year 2023 and even though this Court granted bail to the accused on 20/12/2024, he remained in judicial custody as he could not arrange two solvent sureties. Now the accused is continuing in judicial custody without trial as the Special Public Prosecutor of this Court is not attending in the court. Considering these aspect, it is found that it is not proper to detain the accused further without the commencement of trial. Therefore, it is found that the prayer in the application is to be allowed.

(8) In the result,
the application is allowed. The condition No.1 in CMP No.776/2024 is modified as hereunder:

The accused shall be released on his executing bond for ₹ 50,000/- with one solvent surety for the like sum. All other conditions imposed in the order in CMP 776/2024 will remain in force.

Send a copy of this order to the Prison in which the accused is detained.

Dictated to the Confidential Asst. typed by him directly on the computer corrected and pronounced by me in open court on this the 6th day of October, 2025.

Sd/-
**Special Judge,
Fast Track Special Court, Haripad.**

-//True Copy//-

Special Judge,
Fast Track Special Court, Haripad.